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O P E JCS
AUG 06 2003
FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 180.00**METHOD OF PAYMENT** (check all that apply)

Check Credit card Money Order Other** None
 ** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

Deposit Account
 Deposit Account Number 19-0036

Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any over payments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	

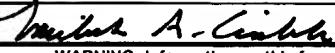
SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra	Fee from below	Fee Paid
Total Claims	- 20**	= <input type="text"/> X <input type="text"/> = <input type="text"/>
Indep. Claims	- 3**	= <input type="text"/> X <input type="text"/> = <input type="text"/>
Multiple Dependent		= <input type="text"/>

Large Entity	Small Entity	Fee Description	
Fee Code	Fee (\$)	Fee Code	
1202	18	2202 9	Claims in excess of 20
1201	84	2201 42	Independent claims in excess of 3
1203	280	2203 140	Multiple dependent claim, if not paid
1204	84	2204 42	**Reissue independent claims over original patent
1205	18	2205 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissue, see above

SUBMITTED BY			Complete (if applicable)	
Name (Print/Type)	Michele A. Cimbala	Registration No. (Attorney)	33,851	Telephone 202-371-2600
Signature		Other fee (specify)	Date 8/5/03	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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Goldstein Fox**

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*Admitted only in Maryland
**Admitted only in Virginia
•Practice Limited to
Federal Agencies

August 5, 2003

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AUG 08 2003

Art Unit 1652

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Appl. No. 09/974,973; Filed: October 12, 2001
For: **Feedback-Resistant Pyruvate Carboxylase Gene From
Corynebacterium**
Inventor: Paul D. Hanke
Our Ref: 1533.1230001/MAC/MBT

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Form PTO-2038 Credit Card Payment Form for \$180.00 to cover: \$180.00 Late Submission of Information Disclosure Statement;
2. Fee Transmittal Form (PTO/SB/17);
3. First Supplemental Information Disclosure Statement;
4. Form PTO-1449 (2 sheets citing 4 documents);
5. 4 documents cited in Form PTO-1449 attached; and
6. One (1) return postcard.

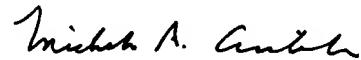
Commissioner for Patents
August 5, 2003
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala
Attorney for Applicant
Registration No. 33,851

MAC/MBT/lam
Enclosures

::ODMA\MHODMA\SKGF_DC1;163862;1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Paul D. HANKE
Appl. No. 09/974,973
Filed: October 12, 2001
For: **Feedback-Resistant Pyruvate
Carboxylase Gene From
*Corynebacterium***

Confirmation No. 8115
Art Unit: 1652
Examiner: Slobodyansky, E.
Atty. Docket: 1533.1230001/MAC/MBT

**First Supplemental Information Disclosure Statement and Fee
Under 37 C.F.R. § 1.97(c)**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AUG 08 2003

TECH CENTER 1600/2900

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on **August 19, 2002** in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not

in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present patent application does not exist. The examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

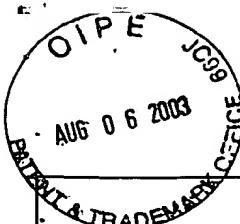
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala
Michele A. Cimbala
Attorney for Applicant
Registration No. 33,851

Date: August 5, 2003
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

::ODMA\MHODMA\SKGF_DC1;163844;1



FORM PTO-1449

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1533.1230001/MAC/MBTAPPLICATION NO.
09/974, 973APPLICANT
Paul D. HankeFILING DATE
October 12, 2001GROUP
1652

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	6,171,833 B1	01/09/01	Sinskey et al.			12/23/98
	AB1	6,403,351 B1	06/11/02	Sinskey et al.			10/03/02
	AC						
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	AE						
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	AI						
	AJ						
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FOREIGN PATENT DOCUMENTS

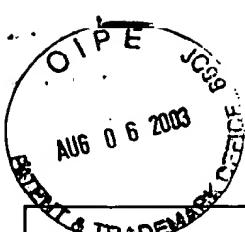
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>1</u>	
	AS	<u>1</u>	
	AT	<u>1</u>	Peters-Wendisch et al., "Pyruvate carboxylase from <i>Corynebacterium glutamicum</i> : characterization, expression and inactivation of the pyc gene," <i>Microbiology</i> 144:915-927 (1998)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1533.1230001/MAC/MBT

APPLICATION NO.
09/974, 973

APPLICANT
Paul D. Hanke

FILING DATE
October 12, 2001

GROUP
1652

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	PCT/US01/31893 - International Search Report (8/22/02)
	AS	2	
	AT	2	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.